

that “in the absence of a timely filed objection, a district court need not conduct *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

On October 27, 2005, the Magistrate Judge issued a Report recommending that the complaint be dismissed without prejudice and without service of process. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and Recommendation and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired.

The court has reviewed the record and the Report and Recommendation of the Magistrate Judge and finds no clear error. Accordingly, it is hereby

ORDERED that this action is *dismissed without prejudice and without issuance and service of process*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
December 2, 2005

C:\temp\notes\FFF692\05-2985 Nichols v. Hutshinson - dismiss without service.wpd